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June 15, 2012

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: Monthly Progress Report No. 61 – May 2012
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009**

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On May 4, CPG, EPA, and CPG and EPA contractors held a conference call to review LPRSA database issues.
- On May 4, CPG, EPA, and CPG and EPA contractors held a conference call to discuss River Mile (RM) 10.9 Characterization delineation sampling locations.
- On May 10, CPG and EPA representatives met to discuss outstanding issues related to the Administrative Settlement Agreement and Order on Consent (AOC) and Statement of Work (SOW) for the RM 10.9 Removal Action.
- On May 17, EPA and CPG representatives held a conference call to discuss the schedule of payments to the LPRSA RI/FS Trust Fund.

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- On May 3, EPA and CPG exchanged emails regarding a proposed meeting on May 10 to discuss outstanding issues related to the AOC and SOW for the RM 10.9 Removal Action.
- On May 7, EPA requested an update from CPG on the status of the Low Resolution Coring Supplemental Sampling Program (LRC SSP) data.
- On May 7, CPG submitted a spreadsheet of preliminary unvalidated LRC SSP data to EPA.
- On May 9, CPG received comments from EPA on additional characterization and delineation sampling to be included in the RM 10.9 Characterization QAPP Addendum A.
- On May 11, CPG submitted a draft RM 10.9 Characterization QAPP Addendum A to EPA.
- On May 15, EPA approved the use of the identified secondary analytical laboratory for analysis of cores from the LRC SSP sampling location 0424 for grain size, specific gravity and moisture content analyses.
- On May 15, EPA provided CPG with a discussion summary and action items from the May 4 conference call between the EPA, CPG, and EPA and CPG contractors regarding the LPRSA database issues.
- On May 15, CPG submitted the Monthly Progress Report to EPA.
- On May 16, CPG received comments from EPA on the draft RM 10.9 Characterization QAPP Addendum A.
- On May 18, CPG submitted a response to comments and revised draft RM 10.9 Characterization QAPP Addendum A to EPA.
- On May 19, EPA approved the revised draft RM 10.9 Characterization QAPP Addendum A.
- On May 24, EPA requested a five gallon sample of sediment from the RM 10.9 Characterization QAPP Addendum A field sampling program for testing.
- On May 30, CPG posted the draft RM 10.9 Characterization QAPP Addendum C (Data Gap Analysis and Data Collection) to the EPA SharePoint Site.
- On May 31, EPA provided the CPG with a letter approving an extension for the submittal of signature pages for the RM 10.9 AOC.
- On May 31, EPA and CPG exchanged emails regarding the tentative field work schedule for conducting the RM 10.9 Characterization QAPP Addendum C.

Work

- CPG completed development of Addenda A and C to the RM 10.9 Characterization QAPP.

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- CPG collected additional RM 10.9 sediment characterization and delineation samples requested by EPA as required by RM 10.9 Characterization QAPP Addendum A.
- CPG collected and provided RM 10.9 sediment samples to beneficial sediment reuse technology vendors for bench scale testing as required by RM 10.9 Characterization QAPP Addendum A.
- CPG initiated development of RM 10.9 Characterization QAPP Addendum B (bench scale testing of beneficial sediment reuse technologies).
- CPG continued discussions with beneficial sediment reuse technology vendors.
- CPG completed chemical analysis of the samples collected during the LRC SSP field activities.
- CPG continued validation of LRC SSP data.
- CPG continued validation of the Small Volume (SV) Chemical Water Column Monitoring (CWCM) Routine Flow Event #2 data.
- CPG completed chemical analysis of the samples collected during the SV CWCM Routine Flow Event #3 field activities.
- CPG continued validation of SV CWCM Routine Flow Event #3 data.
- CPG continued developing the High Volume (HV) CWCM QAPP Addendum.
- CPG continued discussions with HV equipment vendor and associated labs for applicability in the LPR CWCM field program.
- CPG continued spiking studies associated with proposed HV CWCM sampling equipment and support lab.
- CPG conducted a field demonstration of HV CWCM sampling equipment at the CPG Field Facility on May 9 - 10.
- CPG continued work on the 2011 Post-Hurricane Irene Bathymetry Survey report.
- CPG continued drafting the winter/spring 2011 Avian Survey Report.
- CPG Modeling Team continued work on decoupling the Hydrodynamic and HQI ECOM-SEDZLJS Sediment Transport Model codes to shorten run times and long-term sediment transport calibration runs.
- CPG Modeling Team continued work on the RCATOX Chemical Fate and Transport Model Code initial conditions and long-term calibration runs.
- CPG Modeling Team supported design activities for the CWCM High Flow Event.
- CPG Modeling Team continued work on system understanding for hydrodynamic and sediment transport processes in Newark Bay.
- CPG continued review of sediment characteristics and potential target remedy locations in support of initial Feasibility Study (FS) evaluations.

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(b) Results of Sampling and Tests

- On May 15, CPG posted the original laboratory Electronic Data Deliverables (EDDs) received during April for the CWCM and LRC SSP programs to the EPA SharePoint site.
- On May 16, CPG provided the EPA with two workbooks for the LRC SSP data, one workbook with validated, draft data, and the other with unvalidated, draft data.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will complete validation of the LRC SSP data.
- CPG will complete validation of the SV CWCM Routine Flow Event #2 data.
- CPG will complete validation of the SV CWCM Routine Flow Event #3 data.
- CPG will conduct SV CWCM Routine Flow Event #4 the week of June 4, conditions permitting.
- CPG will initiate chemical analysis of the SV CWCM Routine Flow Event #4 samples, conditions permitting the event to be conducted as scheduled.
- CPG will initiate validation of the SV CWCM Routine Flow Event #4 data, conditions permitting the event to be conducted as scheduled.
- CPG will conduct SV CWCM Routine Flow Event #5 in July, conditions permitting.
- CPG will initiate chemical analysis of the SV CWCM Routine Flow Event #5 samples, conditions permitting the event to be conducted as scheduled.
- CPG will conduct a SV CWCM High Flow Event if River conditions meet QAPP criteria.
- CPG will conduct a SV CWCM Low Flow Event if River conditions meet QAPP criteria.
- CPG will complete drafting the HV CWCM QAPP Addendum.
- CPG will conduct a HV CWCM sampling event pending EPA approval of the HV CWCM QAPP Addendum.
- CPG will complete the RM 10.9 Characterization QAPP Addendum B.
- CPG will continue discussions with vendors regarding beneficial sediment reuse large-scale pilot demonstrations and sediment processing/dewatering.
- CPG will initiate bench scale testing of beneficial sediment reuse technologies pending EPA approval of RM 10.9 Characterization QAPP Addendum B.
- CPG will conduct the data gap analysis and data collection required by the RM 10.9 Characterization QAPP Addendum C pending EPA approval.

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- CPG will complete drafting the Post-Hurricane Irene Bathymetric Survey of the LPR report.
- CPG will complete drafting the 2010 Small Foraging Fish Tissue Chemistry Data Report.
- CPG will complete drafting the 2011 Avian Survey Report.

- CPG Modeling Team will continue calibration runs with the HQI ECOM-SEDZLJS and RCATOX codes and inputs.
- CPG Modeling Team will continue support with the CWCM High Flow program planning and development.
- CPG will participate in LPR/Newark Bay Modeling Program progress calls and follow-up modeling collaboration meetings with EPA and EPA consultants.
- CPG will continue initial FS evaluation of targeted remedy locations and development of cost estimating tools.

(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

- Based upon discussions with EPA, the CPG understands that the calibration of the HQI sediment transport model was completed by the EPA Modeling Team during the fourth quarter of CY 2010 and that changes were and continue to be made to the HQI SEDZLJS code and inputs used by EPA in its calibration. It is also the CPG's understanding that EPA is continuing work to improve their calibration. As such, the CPG is continuing to work on both its high flow calibration and its long-term daily calibration. EPA and CPG collaboration meetings were conducted in January and March 2012; these and previous meetings are providing an opportunity for both modeling teams to understand differences between each team's approaches. Delays associated with both the sediment transport modeling and chemical fate transport modeling schedules are extending the completion of the LPRSA RI/FS.

- The CPG understands that the EPA approved Tierra's CSO/SWO Workplan in May 2011. It is also the CPG's understanding that the Method Detection Studies proposed by Tierra and other work such as construction of the proposed mobile centrifuge/CSO sampling trailer must be completed prior to the start of the Phase 1 work which is now forecast for August 2012. The extent of the RI/FS schedule impacts is dependent on the completion of these items and Phase 1 sampling activities.

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- EPA provided comments on July 11, 2011 which disapproved the revised risk assessment planning documents and required submission of revised documents within 30 days. Additionally, EPA provided a technical memo on July 25, 2011 on fish and crab consumption rates for the LPRSA Human Health Risk Assessment. The CPG filed a notice of dispute resolution in accordance with Section XV of the AOC on July 25, 2011 in response to EPA's July 11, 2011 directive letter and July 25, 2011 technical memorandum. The revised RARC and TRV deliverables were submitted on August 9, 2011. On September 6, 2011 the CPG submitted a position paper in response to EPA's July 11, 2011 comments and July 25, 2011 technical memorandum. Dispute resolution meetings were held on December 1, 2011 and January 13, 2012. EPA provided the results of the dispute resolution to the CPG on February 7, 2012 and the CPG has begun to implement the changes specified in the July 2011 directive comments and the results of the dispute resolution which was submitted on April 13, 2012.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.


Willard F. Potter
Project Coordinator

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